

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

OGALLALA COMMUNITY HOSPITAL)	
AND HEALTH FOUNDATION,)	
)	
Plaintiff,)	7:04CV5012
)	
v.)	
)	
VITZTUM COMMERCIAL FLOORING,)	ORDER
INC., a Kansas corporation,)	
AMCO INSURANCE COMPANY, an)	
Iowa corporation, surety;)	
HORTY ELVING CONSTRUCTION)	
SERVICES, INC., a Minnesota)	
corporation, d/b/a)	
CONSTRUCTION COORDINATORS,)	
INC., and HORTY ELVING &)	
ASSOCIATES, INC., a Minnesota)	
corporation,)	
)	
Defendants.)	
_____)	

This matter is before the Court on the motion of third-party defendant Dependable Chemical Co., Inc.'s motion for additional time to disclose the opinions and identification of non-expert witnesses pursuant to Fed. R. Civ. P. 26(a)(2) (Filing No. 90), and the motion of defendant and third-party plaintiff, Vitztum Commercial Flooring, Inc., to extend date for disclosure of non-expert witnesses (Filing No. 91). The Court notes the parties have until December 1, 2005, to disclose expert witnesses and that this extension will not alter the remainder of the progression schedule. Accordingly,

IT IS ORDERED that the motions for additional time to disclose the identification of non-expert witnesses is granted.

Third-party defendant, Dependable Chemical Co., Inc., and defendant and third-party plaintiff, Vitztum Commercial Flooring, Inc., shall have until December 1, 2005, to identify non-expert witnesses.

DATED this 27th day of October, 2005.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court